

REMARKS

The Office Action dated March 27, 2007 has been reviewed. Claim 6 has been cancelled. Claims 7 and 10 have been amended. Claims 1-5 and 7-14 are pending and are at issue.

Objection to Disclosure

The specification has been objected to because the Office believes it is unclear as to what the other transition elements refer to because of the aluminium (Al) in the phrase " or other transition elements such as chromium Cr, zinc Zn, aluminium Al, or copper Cu or mixtures thereof" in the last paragraph starting on Page 2 of the specification. This ground of rejection is respectfully traversed as Applicants believe it is clear. However, in accordance with the principles of compact prosecution that the Office articulates, the specification has been amended to place this application in condition for allowance. Specifically, the paragraph has been amended to make it clear that the cobalt ferrite can be doped with Mn or Al or transition metals such as chromium Cr, zinc Zn, or copper Cu or mixtures thereof. This amendment does not constitute new matter as it just rearranges the phrase to make it clear to the Office how the cobalt ferrite can be doped.

The specification has also been rejected to because the Office Action states that new matter was added in the amendment filed June 20, 2007. Applicants disagree with this ground of rejection. The claims form part of the specification. Claim 6 in the original application indicated that other transition metals could be used. However, in order to move the application towards allowance, the alleged new matter has been canceled from the application.

It is therefore respectfully requested that the amendment to the specification be approved and this objection to the disclosure be withdrawn. In the event that the Office maintains this objection, it is respectfully suggested that, in the interests of compact prosecution, the Examiner call Applicants' attorney to discuss an amendment to the specification.

Objection to claims 10 and 11 under 37 CFR 1.75(c)

Claims 10 and 11 have been objected to under 37 CFR 1.75(c) as being of improper independent form for failing to further limit the subject matter of a previous claim.

Applicants respectfully disagree with the Office in that claim 10 as a dependent claim is broader in scope as a result of adding a metallic binder to the mixed powder. As explained

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in the specification, the addition of the binders changes the mechanical properties, braze-ability, and sensitivity of the material. Furthermore, adding a metallic binder improves the stability of the composite during sintering and/or oxidative stability of the resulting product.

However, in accordance with the principles of compact prosecution that the Office articulates, claim 10 has been amended to be in independent form. It is therefore respectfully requested that the objection to claims 10 and 11 be withdrawn.

Claim Rejection under 35 USC § 112, 1st Paragraph

Claim 6 has been rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description. The originally filed claims such as claim 6 are part of the specification. It is believed that the specification supports this claim. As previously indicated, page 2, line 32 to page 3, line 2 states that the cobalt ferrite is doped with manganese (Mn) or other transition elements such as Cr, Zn, etc. for iron or cobalt to form manganese-substituted cobalt ferrite (or other transition metal-substituted cobalt ferrite).

However, in accordance with the principles of compact prosecution that the Office articulates, the specification has been amended to place the application in condition for allowance. While Applicants disagree with the Office on claim 6, claim 6 has been canceled. Applicants preserve the right to file additional applications. It is therefore respectfully requested that this rejection under 35 U.S.C. 112, first paragraph be withdrawn.

Claim Rejection under 35 USC § 112, 2nd Paragraph

Claims 10 and 11 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action states that claims 10 and 11 are broader in scope than claim 1. Claim 10 has been amended to be in independent form to move this application towards allowance. It is therefore respectfully requested that this rejection under 35 U.S.C. 112, second paragraph be withdrawn.

Extension of Time and Fee Deficiency

Applicant(s) believes/believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time. If any additional fee is required, or any overpayment is made, in connection with this communication please charge or credit deposit account No. 50-3505.

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Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. The absence of additional patentability arguments should not be construed as either a disclaimer of such arguments or that such arguments are not believed to be meritorious. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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